Remarks

The present amendment is in response to the action mailed in the above-referenced case on January 5, 2000, made Final. Claims 1-37 are presented for Examination. In the action the Examiner rejected claims 1-9, 11, 13, 15 and 18-20 under 35 U.S.C. 102(e) as being anticipated by Meske et al. (US No. 5,530,852) hereinafter Meske in view of Tanenbaum (Structure Computer Organization , second edition) hereinafter Tanenbaum. Claims 10, 12, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meske, Tanenbaum, and further in view of Judson (US No. 5,572,643) hereinafter Judson. Claims 21-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meske, Tanenbaum, and further in view of Gleeson (US 5,627,829).

In response applicant herein provides clear arguments to more clearly point out the patentability of the claims, and to elucidate how the claims distinguish unarguably over the prior art provided by the Examiner. Applicant believes the final rejection given by the Examiner is premature as the Examiner did not fully understand applicant's disclosure and claims even though they are very clearly presented. Applicant believes that the prior art references provided by the Examiner were not correctly understood and interpreted by the Examiner, and do not read on applicant's claimed invention. Applicant believes the Examiner did not give patentable weight to applicant's claims as last amended and provide a valid rejection with clear reasoning.

Claim 1 as last amended now recites:

1. In a WEB browsing system, a method for minimizing data to be transmitted to a client device from a Web server, comprising steps of:

(a) creating a listing of parameters derived from one or more of hardware and software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the client device;

(b) storing the parameters as a template at the Web server;

(c) accessing a WEB page requested by the customer;

(d) translating the WEB data according to the template; and

(e) transmitting the translated data to the client device.

Claim 1 is rejected under 103 (a) as being anticipated by Meske in view of Tanenbaum. The Examiner states that Meske teaches step a) of applicant's claim 1 which recites creating a listing of parameters (i.e. user profiles) derived from one or more of hardware and software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the client device, and references the abstract of Meske, Fig. 1, col. 2, lines 22-55, and col. 3 line 55-col. 4 line 3. Applicant has read the portions of Meske pointed out by the Examiner, along with the remainder of Meske's specification and does not see any support in the applied art for creating a listing of parameters derived from one or more of hardware and software characteristics of the client device as recited in applicant's claim 1. The practice of quoting the applicant's claim language and attributing it to the reference is backwards. Aoolicant needs to know what in the reference is considered by the Examiner to be the equivalent of applicants elements. The reference should be quoted for what it says. A better approach would be for the Examiner to quote the actual reference teaching, and then argue

how that teaching reads on the applicant's claim. The Examiner is citing portions of the reference, then quoting parts of applicant's claims as though that is what the reference says, when it clearly does not. What the Examiner relates to the reference is pure conjecture.

Meske teaches user profiles having to do with the type of information desired by the client, for example, if the client is interested in current events, politics, or economics. There is absolutely no teaching in the art of Meske of a capability to transmit information to a client based on the hardware and/or software characteristics of the client device. The abstract of Meske teaches that a first file of information is parsed to generate a list of profiles, and at least one corresponding topic for each of the lists of profiles. The first file of information is parsed to determine the at least one article, if any, for the at least corresponding topic for each of the list of profiles, and a corresponding topic for each of the list of profiles. Columns 3 and 4 of Meske make absolutely no mention of user profiles being derived from one or more of hardware and software characteristics of the client device. Column 6 of Meske specifically defines a "profile" as implemented in his invention. Meske states that a profile is one or many topics. For example, a profile list file may be entitled "Sun_ Express_ News.List" wherein a single profile name may be entitled "Direct Marketing".

Meske does use "profiles" in his method, however, in this case, what Meske discloses is a "search profile" (see background, col 2, lines 4-10). In applicant's invention profiles, or parameters, are used in the sense of what data formats can be processed by the client device, not what to search for. Applicant's invention also selects a parameter based on software and hardware characteristics, not user input or news content as in Meske. In applicant's claimed invention, the profile is independent of the source of information, but depends on the target, or the client device. Meske clearly

does not teach or suggest using "parameters" as disclosed and claimed in applicant's invention.

In applicant's invention, as argued in the previous Amendment, the WEB server first processes data requested to be transmitted to a specific client's device according to pre-stored characteristics of the specific user's device, or according to characteristics transmitted by the user's device. For example, a user's device could be a hand-held computer, and devices like WEB TV systems, Set-Top boxes, and the like. These types of devices may have varying CPU capacities, data transmission speeds, and operate with different software applications. In some instances only multi-media extensions supported by the user's device are used, and data is preferably combined into one file for each transfer. In this manner, each communication with each user's device is done in a fast and efficient manner, tailored to the needs of each user, and the user can then function with a minimum hardware/software device that may be energy efficient providing long life between battery charges. Because the server is capable of storing characteristics of the client device (profiles) at the server, **the server is capable of converting data to be specifically tailored according to characteristics, or profiles, of the client's device, and then communicates the data to the client's device**. In this manner, for example, a client using a hand held computing device, having a smaller computing capacity than a standard PC can download WEB pages and other data from a server that would otherwise be impossible.

The Examiner states that Meske teaches step (b) of applicant's claim 1 reciting the storing of the parameters as a template at the Web server. Meske does not teach the use of templates anywhere in his specification. Figure 4 of Meske teaches some formatting, but does not elaborate to the point of suggesting the use of a template. Meske teaches the use of a parser an a result

formatter (col. 5, lines 58 – col. 6line 14). In applicant's invention clients are adapted via software to make new templates for specific WEB pages and client devices and appliances. A new template may be made by modifying a standard or default template. In applicant's invention Fig 13a shows a typical WEB page 1300, containing several types of fields. After reviewing a WEB page such as shown in Fig. 13a, a user can designate zones (Fig 13b) and incorporate these zones into a template for specifying translation of the WEB page for a client device. Meske does not teach or suggest the use of such templates. The HTML 420 of Meske's Figure 4 is not a template as disclosed in applicant's invention, as stated by the Examiner. Column 5 line 58 – column 6 line 36 of Meske teaches a parser/converter process 400. Meske teaches that the additional HTML files can be created responsive to the search terms parsed from an e-mail message.

As argued above the parameters and profiles of Meske are not a listing of parameters derived from one or more of hardware and software characteristics of the client device, as clearly recited in applicant's claim1. Applicant respectfully requests the Examiner acknowledge this argument and respond appropriately including providing prior art that reads on applicant's claim 1, Meske clearly fails.

The Examiner states that Tanenbaum explicitly discloses that hardware and software are logically equivalent in the computer technology (Page 11, line 12 to page 12 line 2). Therefore, it would have been obvious to utilize hardware into the Tanenbaum's software operation because any operation performed by software can also be built directly into the hardware and any instruction executed by the hardware can also be simulated in software. Applicant respectfully points out to the Examiner that Tanenbaum is specifically speaking of a single computing device incorporating hardware and software, and how they relate to each other. Applicant's invention deals

with data communication between a client's device and a server wherein the hardware and software may not be the same between the client and the server, i.e. two entirely separate computing devices. Tanenbaum is an extremely general teaching of basic computing abilities, and how they evolved, and does not deal with transferring data between two separate computers. Applicant does not believe it would have been obvious to utilize the teaching of Tanenbaum with that of Meske to accomplish applicant's claimed invention as argued in detail above.

There is absolutely no teaching in the art of Meske or Tanenbaum of a capability to transmit information to a client based on the hardware and/or software characteristics of the client device. Applicant believes claim 1 is patentable over the art of Meske and Tanenbaum.

Claim 2 recites that the display is in fact a display apparatus part of the client's device, for example, a LCD display, LED display, monochrome etc.. Graphics are processed by the WEB server, using information provided in the template stored at the server, to provide specific resolution and size according to the specific client's display apparatus. This is very clearly not what is disclosed in the art of Meske. Column 10 lines 18-40 and Figure 8 of Meske teach what is displayed at the client and makes no reference what so ever to the actual display apparatus as claimed in applicant's invention. Applicant believes that the Examiner is seriously misunderstanding the parameters as claimed and how they apply. Applicant teaches that the parameters may include the hardware aspects of the display, **not** what is displayed i.e. a WEB page. Applicant believes claim 2 is patentable on it's own merits, or at least as depended from a patentable claim.

Claim 3 herein recites:

3. A software template for use in translating WEB data to a reduced-data form to be transmitted to a client device from a WEB server, comprising:

one or more parameters derived from one or more of hardware and software characteristics of the client device; and

control routines adapted for applying the parameters in translating data from a WEB page for transmission to the client device.

Claim 3 is rejected by the Examiner using the same reasoning as set forth in claims 1 and 2. Claim 3 recites a software template for <u>translating WEB data to a reduced-data form</u> to be transmitted from a WEB server to a client's device **based on one or more of hardware and software characteristics of the client device.**

As argued above on behalf of claim 1, Meske clearly fails to disclose transmitting data to a client based on characteristics of the client device. The profiles of Meske cannot read on the parameters of hardware and software devices at the client as claimed in applicant's invention. The WEB server in applicant's invention may have to reformat the transmission of data, via a template, when transmitting to the client to accommodate specific characteristics of the hardware and software capabilities of the client's device. Applicant believes claim 3 is patentable over the art of Meske. Claims 4-5 are patentable on their own merits or at least as depended from a patentable claim.

Claim 6 herein recites:

6. In a WEB browsing system using templates listing parameters derived from one or more of hardware and software characteristics of a client device,

characteristics of a WEB page, and customer preferences in reducing data
content of files to be transmitted to the client device, a template editor
comprising:

> *a client interface for displaying characteristics of the template; and*
> *tools for altering the characteristics.*

Claim 6 is rejected by the Examiner using the same reasoning as
provided for claims 1 and 2. Claim 6 also recites that the characteristics of the
client's device include one or more of hardware and software. As argued on
behalf of claims 1 and 2, Meske fails to teach this claimed ability. Applicant
believes claim 6 is clearly patentable over the art of Meske. Claims 7-8 are
also patentable at least as depended from a patentable claim.

Claim 9 herein recites:

9. In a WEB browsing system, a Mark-Script for use by a WEB server hosting
a customer operating a client device, the Mark-Script comprising:

> *a list of Web pages to be accessed on behalf of the client; and*
> *control routines adapted for accessing the WEB pages one-after-*
another and storing the contents at the WEB server for transmission on
demand to the client device based on one or more of hardware and software
characteristics of the client device.

Claim 9 is rejected using the same reasoning provided for claim 1.
Claim 9 also recites the transmission of data from the WEB server to the
client's device being dependent on the one or more of hardware and
software characteristics of the client's device. Further, the Examiner's basis
for rejection for claim 1 simply does not deal with the unique limitation of

using Mark-Script.

There are products in the art that provide for setting up a sequence for accessing WEB pages. In these products a sequence of URLs is entered, and the computer then accesses the WEB pages in order and catalogues the results, as in the art of Meske. This is different than the system of the present invention. In the present invention a list of WEB page destinations is stored either at a client device or at an enabled WEB server. The system comprises not just the list of destinations, but executable control routines for implementing the accessing of the listed destinations and controlling interaction between a server and the client. The inventor terms the combination a Mark-Script, which is a cross between a list of bookmarks and a script.

In applicant's invention a Mark-Script for use by a WEB server hosting a customer operating a client device is provided. The Mark-Script comprises a list of Web pages to be accessed on behalf of the client; and control routines adapted for accessing the WEB pages one-after-another and storing the contents at the WEB server for transmission on demand to the client device.

As an example of a Mark-Script and execution according to an embodiment of the present invention, a client uploads a sequence of URLs to a WEB Server adapted for reduced-content data sharing according to the present invention. The client may then provide an initiation signal identifying the Mark-Script, and the server will access the first destination of the Mark-Script, translate the content according to the user's template, including the hardware and/or software characteristics of the client's device, and transmit the result to the client device. While the user is viewing the first result, the Mark-Script accesses the second destination, performs the translation, and queues the data for transmission to the user after the user is finished with the

data from the first destination.

Meske simply does not teach this kind of sophisticated control in the downloading of desired articles. Converting HTML files to SGML files as taught in the art of Meske simply doesn't suffice. Meske also fails to teach transmission of data based on the detailed characteristics of the client's device as argued above.

Applicant believes claim 9 is patentable over the art of Meske. Claim 10 is also patentable at least as depended from a patentable claim.

Claim 11 recites:

11. A method for WEB browsing by a client device, comprising steps of:

(a) preparing a Mark-Script comprising a list of Web pages to be accessed on behalf of the client device, and control routines adapted for accessing the WEB pages one-after-another and storing the contents at the WEB server for transmission on demand to the client device;

(b) accessing the WEB server by the client device and initiating execution of the Mark-Script; and

(c) interacting with WEB pages transmitted by the WEB server to the client device according to the list and to characteristics of the client device including one or more of hardware and software.

Claim 11 is rejected by the Examiner using the same reasoning provided on behalf of claim 9, which stems back to claim 1. The Examiner also states that Meske teaches the step of accessing the WEB server by the client device and initiating execution of the Mark-Script (i.e. HTML files to SGML files). As seen in columns 9 and 10 of Meske advanced control routines are not available in the transmission of files to the client as taught in

applicant's invention.

Applicant believes claim 11 is patentable over the art of Meske as amended. Claim 12 is also patentable at least as depended from a patentable claim.

Claim 13 herein recites:

13. A method for sequential browsing by a server on behalf of a client device, comprising steps of:

(a) accessing a Mark-Script stored at the server and associated with the client device, the Mark-Script listing a sequence of WEB pages to be accessed for the client;

(b) accessing the listed WEB pages and storing the retrieved data at the server; and

(c) transmitting the stored pages to the client device on demand based on one or more of software and software characteristics of the client device.

The Examiner has rejected claim 13 using the same reasoning set forth on behalf of claims 1 and 11. Claim 13 includes the recitation of transmitting data according to the one or more of hardware and software characteristics of the client's device. Applicant believes claim 13 is patentable over the art of Meske as argued on behalf of claim 1 and 11 above. Claims 14-17 are also patentable at least as depended from a patentable claim.

Claim 18 herein recites:

18. A system for Internet browsing, comprising:

a host computer connected to one or more peripheral devices and to the Internet; and

a WEB server adapted for browsing the Internet for the host;

wherein the WEB server fetches WEB pages for the host computer and reduces data content before transmission to the host based on one or more of hardware and software characteristics of one of the peripheral devices connected to the host.

The Examiner rejects claim 18 under 103(a) as being unpatentable over Meske in view of Tanenbaum. The Examiner merely recites back the language of applicant's claim, but does not support the teaching of a host computer, a WEB server, and a peripheral device in the portions of Meske references on page 4 of the Office Letter.

There are many existing devices, and more devices being developed, that may communicate locally with a computer which may in turn communicate with remote data sources over networks like the Internet. A device adapted to communicate with computers locally, acting as a computer peripheral device, for example, may benefit a client indirectly, with the host device accessing the Internet or other WAN, downloading data specifically reduced in data content according to characteristics of the peripheral device, and then communicating the data to the peripheral device.

Meske does not teach the downloading or transmission of data to a peripheral device other that the WEB server 150 and the host computer 100. Further, Meske is not capable of transmitting data to any type of client device based on one or more of hardware and software characteristics as argued above.

Applicant believes claim 18 is clearly patentable over the art of Meske. Claim 19 is also patentable at least as depended from a patentable

claim.

Claim 20 as amended herein recites:

20. A system for Internet browsing comprising a client device connected to a WEB server for browsing legacy system sites on the client's behalf, the system comprising:

    a source-side template for converting data requested by the WEB server to an Hyper Text Markup Protocol (HTML) before transmission to the WEB server; and

    a client-side template for reducing data content of the data at the Web site according to one or more of hardware and software characteristics supplied by the client device before transmission of the data to the client device.

Claim 20 is rejected by the Examiner using the same reasoning provided on behalf of claims 1 and 19. The Examiner further states that Meske teaches a source side template adapted for converting data requested by the WEB server to an Hyper Text Markup Protocol (HTML) before transmission to the WEB server. Claim 20 to recite that the client-side template reduces the data for transmission according to the hardware and or software characteristics supplied by the client device before transmission.

Meske's SGML/HTML parser/converter process **400**, implemented in PERL script communicates with the server via CGI 220. The HTML versions of articles stored in the SGML mail message, sent to the server by the news source, are searched for the presence of specified search terms using the SGML/HTML parser/converter. The HTML results of these specified search requests can then be displayed on a client's console.

Meske does not teach wherein the transmission of data is according to characteristics of the client device, being provided by the client device. Meske's basic system of converting SGML to HTML and sending data to a client simply does not read on client's claim 20. There is absolutely no ability taught in the art of Meske to acquire or receive hardware and/or software characteristics from a client's device and transmit data accordingly. Claim 20 is patentable as amended as argued above and on behalf of claim 1.

Claim 21 herein recites:

21. *A computing system comprising:*

a client; and

a server having server control routines and connected to the client by a data link;

wherein the server control routines, upon a request to download by a client, determine one or more of hardware and software characteristics of the client, transpose data, without further negotiation with the client, and transmit the transposed data to the client in a form specifically adapted to the characteristics of the client, and wherein, in the transposing, a first set of files is transposed into a second set of files fewer in number than the first set of files.

Claim 21 is rejected under 103(a) as being unpatentable over Meske and Tanenbaum, and further in view of Gleeson. Claim 21 encompasses the patentable limitations previously argued on behalf of the independent claims above, and a limitation that the transposing involves creating a second set of files fewer from a first set.

Meske simply does not teach a WEB server having server control routines, wherein upon a request to download by a client, determines one or both of hardware or software characteristics of the client, transposes data, without further negotiation with the client, and transmits the transposed data to the client in a form specifically adapted to the characteristics of the client, and as a set of fewer files than a first set.

The Examiner states that Gleeson discloses a first set of files being transposed into a set of files fewer in number than the first set of files (i.e. compressing and decompressing data) by reducing the size of data packet (see abstract, Fig. 12A, 12B and col. 5 line 63 to col. 6 line 56). The Examiner states it would have been obvious to modify Meske with Gleeson's teaching because it would have reduced the number of size and data packets transferred over the wireless network.

Applicant argues that Gleeson's figures 12A and 12B show packets and compression ID's inserted according to the invention. . The packet layer of transmission system disclosed in the art of Gleeson is below the file layer recited in claim 21, which is well known in the art, in the ISO standard of network, and also described by Gleeson in Fig. 2, and col. 5, line 63 – col. 6, line 56. Gleeson teaches that a file is broken up into packets for transmission. How can there be a reduction of files, when Gleeson applies to a layer one (or two or three in classic 7 layer model) layers below files or applications? In fact, applicant's invention clearly says that "normal compression" can also be applied, but is not a part of the claim in question. Gleeson merely makes reference to the physical characteristics of the network.

Applicant believes claim 21 is patentable over the art provided by the Examiner. Depended claims 22-26 are patentable on their own merits or at least as depended from a patentable claim. Applicant herein also points out

regarding claim 25 that Meske does not teach transposing HTML. This feature is not disclosed in col. 4, lines 14-51 or anywhere else. Figure 4 of Meske, in fact, clearly shows that he converts e-mail etc. into HTML, he does not teach transposing HTML.

Claim 27 herein recites:

27. A server in a client-server system comprising:

a data port for connecting to a client;

a facility for accessing data to be transferred to the client; and

control routines for managing data preparation and transfer to the client:

wherein the control routines establish one or more of hardware and software characteristics of the client's device and, in response to a download request from the client, prepare and transmit data to the client in a form specifically adapted to the characteristics of the client, and wherein the control routines, in preparing the data for transfer to the client, transpose, without further negotiation with the client, a first set of files into a second set of files fewer in number than the first set of files before transferring the data to the client.

Claim 27 is rejected using the same reasoning provided by the Examiner on behalf of claims 21-26 respectively. Claim 27 recites a server in a client-server system having control routines for establishing one or more of hardware and software characteristics of the client's device. As argued previously in this case, Meske does not teach the ability to transpose and transmit data to a client based on the specific characteristics of the client's device, or reducing the number of files.

Applicant believes claim 27 is patentable over the art provided by the Examiner as argued above. Claims 28-32 are patentable on their own merits or at least as depended from a patentable claim.

Claim 33 herein recites:

33. A method for transferring data originally comprising multiple files by a server to a client, comprising steps of:

(a) determining at the server, upon a request to download by a client, one or more of specific hardware and software characteristics of the client;

(b) transposing the data, without further negotiation with the client, according to the specific characteristics of the client, including reducing the number of files comprising the data; and

(c) transferring the transposed data to the client over a data link connecting the client to the server.

Claim 33 is applicant's method claim corresponding to claim 27, and is patentable using the same reasoning provided by the applicant on behalf of claims 21 and 27. Claims 34-37 are patentable on their own merits or at least as depended from a patentable claim.

Applicant believes the claims as they stand presented for examination are patentable to applicant over the references cited and applied, and therefore requests reexamination and that the case be passed quickly to issue.
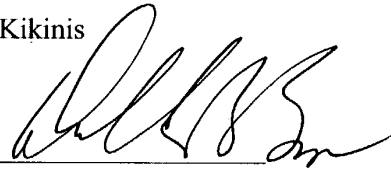
If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are

hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

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